

Federal Defenders  
OF NEW YORK, INC.

Southern District  
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September 9, 2019

*Un-redacted Version to the Court*  
*Redacted Version Served on Government Counsel*

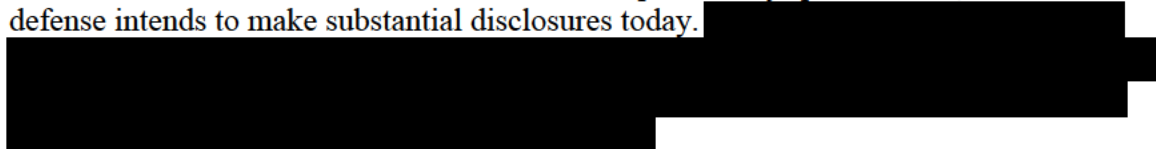
Hon. Paul A. Crotty  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *United States v. Joshua Schulte*, 17 Cr. 548 (PAC)

Hon. Judge Crotty:

As directed by the Court, Mr. Schulte proposes the following changes to the scheduling order.

As to the CIPA 5 deadline of September 9, 2019, we seek a rolling deadline as this case is unlike any other. Here the majority of the discovery is classified. As trial approaches, the theory of defense may change and require us to give the government additional notice. There would be no prejudice to the government with such an approach. The statute itself allows for CIPA 5 disclosures up to 30 days prior to trial, and the defense intends to make substantial disclosures today.



We further advise the Court that we may have objections—including potential constitutional challenges—to the fairness of the CIPA process as applied in this case. We are planning on submitting any such objections on December 6, 2019, as part of the defendant's opposition to the government's CIPA 6 notice, and at the hearing scheduled for December 16, 2019.

Finally, we ask that the suppression hearing be scheduled for October 24, 2019.

Hon. Paul A. Crotty  
Judge, Southern District of New York

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Thank you for considering this request.

Respectfully submitted,

/s/ Sabrina Shroff  
Edward Zas  
Allegra Glashausser

Counsel for Joshua A. Schulte